

**UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF LOUISIANA
LAKE CHARLES DIVISION**

GARNETT SMITH #54853-037

CASE NO. 2:21-CV-03640 SEC P

VERSUS

JUDGE JAMES D. CAIN, JR.

SEKOU MA'AT

MAGISTRATE JUDGE KAY

JUDGMENT

On or about June 7, 2022, the Magistrate Judge issued a Report and Recommendation where in she recommended that Garnett Smith's Petition for Writ of Habeas Corpus be denied without prejudice and the instant case be dismissed for failure to exhaust administrative remedies. The Magistrate Judge set a deadline for Smith to file objections, if any he had.

On August 2, 2022, noting the absence of objections, and agreeing with the Magistrate Judge that Smith had failed to exhaust his administrative remedies, the Court adopted the Report and Recommendation, and issued a Judgment dismissing this lawsuit.¹ On September 13, 2022, Smith filed a motion to reopen the case²; the Court granted the motion and gave Smith until October 17, 2022 to file his objections. Again, Smith has failed to file any objections and the time for doing so has now lapsed. Accordingly,


¹ Doc. 9.

² Doc. 11.

For the reasons stated in the Report and Recommendation of the Magistrate Judge previously filed herein, determining that the findings are correct under the applicable law, and noting the absence of objections to the Report and Recommendation in the record:

IT IS ORDERED, ADJUDGED, AND DECREED that the instant petition be **DENIED** and **DISMISSED WITHOUT PREJUDICE** for failure to exhaust administrative remedies.

THUS DONE AND SIGNED in Chambers on this 26th day of October, 2022.



JAMES D. CAIN, JR.
UNITED STATES DISTRICT JUDGE